

vamping the jute industry in West Bengal and ensure better facilities to them.

**(viii) Need to Set Up a Training Centre at Hardoi Town in U.P. to provide Training to the Farmers for Upkeep of Agricultural Equipments and use of other Modern Techniques of Farming**

[*Translation*]

SHRI SURENDER PAL PATHAK (Shahabad): Mr. Chairman, Sir, in order to ensure the optimum utilisation of modern agricultural tools and equipments, the Union Government has opened training centres at certain places of the country where farmers are imparted training to use modern agricultural implements, their optimum utilisation and repair works.

More than eighty percent population of Hardoi district of Uttar Pradesh and its adjoining districts like Lakhimpur-Khiri, Shahjahanpur, Sitapur, Farrukhabad, Unnao etc. are mainly dependent on agriculture. Due to the lack of training centres here, inspite of the availability of modern agricultural implements farmers do not know the proper use of these implements. Due to this reason, the farmers are unable to make full use of agricultural implements. That is why in this whole region, the results of agricultural production have not been satisfactory.

Therefore, the Union Government is requested that a training centre for imparting training for proper use of agricultural machines and equipments like tractor, thresher, diesel pump sets and insecticide sprayers may be opened at Hardoi, which is the centre place of these backward districts of Uttar Pradesh as have been opened in

Hissar in Haryana and Budni in Madhya Pradesh so that the local farmers may also be benefited by such training centre and come to the main stream of progress and development in the country.

15.50 hrs.

[*English*]

MOTOR VEHICLES (AMENDMENT) BILL

**As passed by Rajya Sabha — Contd.**

MR. CHAIRMAN: Now we shall take up item No. 11—further discussion on the Motion moved by Shri Jagdish Tytler. Shri Chetan P.S. Chauhan was on his legs.

[*Translation*]

SHRI CHETAN P.S. CHAUHAN (Amroha): Mr. Chairman, Sir, thank you very much. Last time I was telling you that the main reason of high number of road accidents in the country is that the vehicle drivers are not properly trained. In our country, drivers are not given proper training and that is why we are witnessing more and more road accidents. Some remedial steps such as licensing etc. have been taken by the Government about which I shall speak later on.

The other reason for the increasing number of road accidents is bad condition of roads. Now a days, there is a season and, the condition becomes worse during this season. The roads constructed through hot-mix plant techniques and other ordinary roads cannot withstand the onslaught of rains and at many places pot-holes have developed. Due to these bad roads, vehicles also get affected leading to break downs and a number of accidents. Our techniques

of building roads are thirty to forty years old, which require a change. New technique of mixing charcoal, *Bajari*, and lime will have to be used so that roads, once built, could last at least for five years. If it requires to bring new techniques from abroad. These must be brought.

One more reason for accidents is overloading. Commercial vehicles are loaded more than what is allowed which results into damage of chassis, axle and wheels, which further leads to the blockade of roads, jamming of traffic for one or two days. Consequently, the transportation of goods is delayed, and the travelling passengers have to face difficulties. Therefore, there is increase in road accidents.

Encroachment is one of the main reasons of accidents. Although on roads, on the highways notice boards have been placed that no construction work should be carried out upto one hundred yards along the roads and highways but in reality incidents of encroachment are increasing day-by-day. With the increasing urbanisation this problem of encroachment is becoming serious day by day particularly along the roads having big and small villages or towns near them. With the urbanization the problem of encroachment is on the increase, the width of the roads is narrowing down resulting in traffic jams etc. Ultimately all this leads to more inconvenience for the common people and increase in the number of accidents.

The problem of overloading is not merely limited to the commercial vehicles, but this problem is with all passenger vehicles, buses, tempo and other light motor vehicles also. Sometimes no part of the running vehicle is visible only the travelling people are seen. On a tempo itself twenty to twenty

five people are seen sitting, people are even sitting on top of the vehicle. There are laws against this kind of overloading, but they are not implemented. This law will have to be implemented strictly. Likewise, the vehicle on the road are also not in good conditions, they are twenty to twenty five years old. There are no mudguard, bumper or lighting arrangement in these vehicles. From the viewpoint of road safety these vehicles are very dangerous. The body of the vehicle is in such a bad condition that these vehicles make rattling sounds. I have earlier also said that in order to avoid the accidents, we will have to pay attention towards the issuance of driving licence. I had an opportunity to visit foreign country. I had a licence with me. In our country without doing anything you can get a licence if you pay extra money but in foreign countries you can get a licence only after one and quarter or one and a half year. For the first three months you get only a learner licence, after that you get a provisional licence and only after that you get a permanent licence. There is some strictness in Delhi but in smaller towns nobody cares for it and no driving tests are conducted. Now you are going to seek the cooperation of driving schools and I believe that it will be definitely helpful. But I also want to bring it to your notice that you will have to keep a check on these school lest these schools may not start functioning as touts and getting licences may become easy through these schools. In foreign countries, there is knowledge test also. In those countries a book is provided for studying the driving skills. First they give knowledge test in which objective type questions are asked or aptitude test is conducted. This knowledge test provides a great deal of information. This provides information not only related to symbols but also to driving knowledge and other things. Such book should be

[Sh. Chetna P.S. Chauhan]

made available here also so that people taking admission in there training schools should read them and acquire theoretical as well as practical knowledge. Only after that, they may go for the test. According to the provisions of law, if a person fails in this test he can take up another test within seven days. My advice is that this period should be increased to thirty days. If a person after undergoing thirty days of training goes for the test, he may become a good driver.

About registration I want to say that in small towns and district nobody bothers about the registration. Once a person gets his vehicle registered, he does not go for the second time. You will have to give special attention on registration. You have introduced computers for registration. If you send notice for renewal then I feel that people will remember it because people generally misplace their registration book. If you start sending renewal notices then you will have good income and at the same time there will be control over vehicles. It will lead to a good supervision and the record will be at your disposal. I also want to say that there has been a great deal of misuse of bus-permit. Though, this is a State subject but according to law only upto 24 Kilometre regional authority can issue permits for private buses.

16.00 hrs.

**I would like to say something about my own State of Uttar Pradesh. There the permits are given point to point basis. Often it is seen that misuse of this provision is made. You should focus your attention on this aspect also. At the same, I would like to add that in the system of permit being given**

for buses, there should be some provision for ex-servicemen also. I would also like to suggest that in section-II clause 4 it should be added:

[*English*]

preference must be given for unemployed graduates and for self employment.

[*Translation*]

If this category is added than I have full faith that the number of unemployed in this country will reduce. In Section 79, you have made wearing of helmet compulsory for two-wheeler drivers. This system is limited in only some of the States. This should be made mandatory all over the country. In addition to that, this should be made compulsory for pillion riders as well. People often die in two-wheelers accidents because they do not wear helmet. in section 161 there is a reference of hit and run. These cases mostly take place on highways and their number is very high. The guilty persons flee away after such accidents. In Section 161, you have made a provision of paying compensation of Rs. Twenty five thousand to the next kith and kin of the deceased and in the case of permanent disability or in grave injury rupees twelve thousand five hundred only. My suggestion is that in the cases of hit and run twentyfive thousand should be made fifty thousand and twelve thousand and five hundred should be made twenty five thousand.

In Section 192A you have talked about using vehicles without registration and permit. You have taken various steps under it. You have said in it that you will allow those vehicles which do not have registration.

[English]

Vehicles allowed in emergency in sickness and injuries.

[Translation]

This provision also provides that if someone gives notice within seven days, no action will be taken against such persons. The people having vehicles can misuse this provision. They after bribing their states authority, may ply their vehicles freely. My submission is that permit should not be issued freely.

About transport vehicles also, something is said that they should not be given blanket permission if no registration is made. The registration should be made compulsory. If such vehicles are apprehended they should not be seized. There are some of my suggestions. I have full faith that after considering these aspects, you will bring some amendments in the bill.

[English]

SHRI SHRAVAN KUMAR PATEL (Jabalpur): Mr. Chairman, Sir, I stand in support of the Motor Vehicles (Amendment) Bill.

When the first motor engine was invented on the principle of internal combustion in the early years of the Twentieth Century it was a giant leap for mankind as it had brought about major revolution in the life of humanity. Earlier, man was either walking on foot or he was riding an animal.

But with the invention of motor car life became more enjoyable and he could move faster. It undoubtedly shrank the world but

little would have Henry Ford visualised the troubles and problems, the tensions and anxieties and the despair and disaster it would bring in our lives in the later years.

In India alone last year, namely, 1993, 60,000 people died in road accidents. In the words of the Minister of State in the Ministry of Home Affairs, Shri Rajesh Pilot, the country incurs a loss of Rs. 2,000 crores annually owing to mishaps and road accidents. Gradually a situation is arising where we find too many vehicles and very few serviceable roads.

As in the New Housing Policy where the hon. Minister of Urban Development declared in the House that the role of the Government would be one of facilitator instead of a builder, with the advent of the new Liberalisation Policy surely the hon. Minister of State of the Ministry of Surface Transport would also declare that his Ministry's role would henceforth be limited to development of infrastructure. And rightly so because the top priority should be given to human life.

Safety cannot be compromised at any cost. I think, a time will come when, if we do not reverse the present trend and improve roads, traffic conditions, build up infrastructure and ensure road safety, we will have to put a stop on manufacturing of new vehicles. Therefore, I once again reiterate that the entire thrust of the Government should be in developing the infrastructure and to make efforts to join the entire length and breadth of the country.

Hit and run cases, as my hon. friend Shri Chetan P.S. Chauhan has mentioned, are on the increase. Proper surveillance and patrolling particularly on the National Highways has to be intensified.



[Sh. Chetna P.S. Chauhan]

A welcome step of this Bill is to provide for compensation to road accident victims without the onus of proof of negligence and rashness on the part of the driver under Clause 51 adding Section 163A to the principal Act.

The compensation under Section 161 has been enhanced to Rs. 25,000 for the loss of life and Rs. 12,500/- in case of grievous hurt. I tend to agree with my friend, Shri Chauhan. But I would like to make another suggestion. My suggestion is that the rate of minimum compensation should be linked with the cost of living index so that provisions do not become outdated with lapse of time.

Serious injury and death cannot be evaluated in terms of money. The Supreme Court in case of *Manjushri Raha Vs. B.L. Gupta* observed that a "person's life should not be devalued on the basis of artificial mathematical formula".

Incidentally, Section 131 under this Bill relates to procedure for handling road accident cases. I would also once again like to quote the Supreme Court which observes:

"It is the duty of the doctors to provide medical treatment to an injured person immediately without waiting for completion of procedural formalities regarding medico legal cases".

This indeed is a very welcome step and I congratulate the hon. Minister for incorporating this suggestion.

The three major factors which are mainly responsible for the road accidents are:

lack of worthiness of drivers. My friend was mentioning about that and I agree with most of his suggestions. Licence can be acquired by a man sitting at his house by paying gratification. Therefore, the driver's test should be organised in such a manner that one has to appear and pass the test and only then a licence can be issued. The character certification should be made compulsory. The suggestion of people getting driving licence through driving schools is also a very good suggestion. I welcome it. By this method, while on the one hand a man can get proper training, on the other hand we can also bring to book driving schools which do not impart proper training to the drivers.

I have to make another suggestion, although I know that it would be resented by some of the sections. I would suggest that the person who is driving a vehicle should be at least X class pass because driving requires a minimum level of I.Q. If a person does not possess I.Q., then he is like a gun which could fire and kill somebody. Therefore the hon. Minister should consider my suggestion of giving licences to those people who have a minimum education of X class pass.

So far as driving licences are concerned, they could be presented in a better manner. Laminated cards can also be considered. The hon. Minister of Surface Transport has himself said that three-fourths of accidents are as a result of human error. Driving under intoxication is one of the major factors for fatal road accidents. Therefore, I suggest that heavy fine and even imprisonment for repeated drunken driving should be imposed by the Government.

My second point is about the lack of worthiness of vehicles. I feel that a limit on

the life of a vehicle should be fixed and after that the vehicle should be compulsorily scrapped. This will reduce the incidence of accidents. Seat belts should be made compulsory, as we see in some countries of the world. Manufacturers making available air-bags for safety purpose should get tax relief.

Badly maintained vehicles are polluting the environment of our country. So, pollution checks should be made compulsory, say, once or twice in two years. Tax rebate should be given to pollution-free vehicles, like solar and petrol-operated cars, trucks, etc. We see that the auto drivers have the tendency to mix kerosene with petrol. This is really very bad for the health of the people. Therefore, this type of cases should be dealt with severely.

My friend here was mentioning about overloading of vehicles. We see that the vehicles in our country are very badly overloaded. One of the major reasons for accidents is the overloading of vehicles. Proper rules should, therefore, be framed and then those rules should be implemented strictly.

Uniform traffic road signs, conforming to international norms and standards, should be made applicable throughout the country. Helmets should also be made compulsory.

My third point is regarding the lack of worthiness of roads. In our country, we see that the climate also is not favourable and the quality of our roads is also not proper. Emphasis should be laid on proper building of roads. Busy roads, like the Bombay-Poona, road, are an open invitation to death. Therefore, building of zigzag roads should be avoided and building and maintenance of roads on National Highways should be given on Build, Operate and Transfer (BOT) basis,

as the Government is considering. Ambulances, cranes and separate radio frequency for all the vehicles on Highways could reduce the number of accidents.

Local RTOs indulge in a lot of corruption. Computerisation, particularly for customer service, could improve the situation and this will check the level of corruption.

Suitable bypasses should be given top priority so that heavy trucks do not enter the cities. Here I wish to make a point about the Katni bypass. Katni is one of the large cities of Madhya Pradesh. It is on the National Highway number 7. I have been writing to the hon. Minister to provide for a suitable bypass at Katni town. The alignment has already been done. I have written to the hon. Minister several times and I am sure that the hon. Minister has this matter under consideration. I am hopeful that he will pay his full attention to the Katni bypass, which is the prime need of the people of that town.

- Slums and settlements should have a distance of at least twenty to thirty metres from the roads.

So far as the Highway are concerned, my friend on the other side has already made a point. Stray cattle and animals are also a source of great nuisance and also cause accidents. So, this should also be checked.

It is a welcome decision to provide for Tribunals and Appellate Traffic Tribunals.

However, there should be a judicial audit for these Tribunals for their regular and full-time functioning. It is observed that most of the road Tribunals work hardly for two to three hours a day.

[Sh. Chetna P.S. Chauhan]

In the end I would like to say that if we observe the life in the Western countries, owing to legal hassles, people do not go to the rescue of fatally injured accident victims. In our country we are lucky that people are not all that insensitive. However, laws could be made with human angle in view.

With these few words I once again support this move which is a move in the right direction.

[*Translation*]

DR. S.P. YADAV (Sambhal): Mr. Chairman Sir, the hon. Minister has presented the Motor Vehicle Act (Amendment) Bill in this House to amend the Motor Vehicle Act, 1988. There is a great need to amend this Act since it has become very old and we are giving suggestions to the hon. Minister, as to how it should be amended and which things should be included in it. I hope that the hon. Minister would consider our suggestions seriously since the number of road accidents has increased in our country due to the increasing population and the worsening condition of the roads and we can not neglect those things.

It seems that during this decade, the road accidents in Delhi have increased by two and half times as compared to the last decade. Due to these accidents the country has to suffer the loss of about Rs. two and half thousands crores every year. We have to see the main reason behind these accidents. While living in Delhi, we often hear the news that Red line buses have killed so many people.

The condition of our National highways as well as our roads is miserable. It is not

enough to say that during rainy season only the condition of the roads becomes worse but the condition of the roads remain so worse through out the year, without any reason the accidents take place.

I often travel on Delhi-Lucknow high way and see that the condition of this highway remains always poor. There is a city named Hapur on this highway, where condition of the roads is worst. All roads are broken and even there are clitches on roads. There is no maintenance. And no much pressure of motor-vehicles, rickshaw pullers, cyclists and other means of transport on the roads there that often accidents there. The occur severity of accident has gone to this extent that trucks can be seen over turned on the roads. I feel that we should make such provisions in the Motor Vehicle Act that not only some restrictions should be imposed on the vehicles, rickshaw pullers or tempo drivers etc. but after a certain time limit their bodies should also be condemned since today it can be seen that the bodies of the vehicles have become quite dilapidated and even then these are being run on the roads. When such a bus is run on the roads its doors are open the passengers peep out their heads and some people travel on the roof of the bus. I do not know whether there were such provisions in the law which allows such vehicles to run on the roads and untrained drivers can be allowed to drive such vehicles? I would like to know the laws and rules for those who control the traffic under which they violate the rules and allow the dilapidated vehicles to run on the roads.

Sometimes the police stops the vehicles on the barriers for one or two hours and later on permits these to run on the roads in the name of convey and due to it these collide with each other and the accidents take place. So, whether the policemen have

such a law which enables them to do so in the name of traffic control and increase the number of accidents?

I would like to cite one example. A van started from Aligarh, on its route it passed through Rajghat-Sarora bridge. Three policemen stopped that van there and took Rs. 1500/- forcibly from the persons sitting in the van and said that they would throw their luggage into the river Ganga. Therefore my submission is that stern action should be taken against the erring policemen working in the traffic police and doing such type of things. An immediate action should be taken if such type of a report is reported and an action should be taken against the policemen. They are spreading a provision should be made in this Act to take stern action against such erring policemen so that they can not do any root of injustice to the people anywhere and if a report against them is found, disciplinary and punitive action must be taken against them.

Mr. Chairman, often you will find the incidents of violating law by the policemen only. Recently one of our friend Shri Bairaj Passi of B.J.P. was travelling in the train, a policeman was in intoxication and teasing some women at the Moradabad railway station and he did the same thing with the hon. M.P. also, then the M.P. lodged a complaint against him and got him suspended. My submission is that in most of the cases, the protectors of the law, violate it and due to this reason the number of accidents has gone up.

I would like to submit that if the rules of traffic are included at school level syllabus, the student can learn these rules since childhood and save himself from the accidents. The most objectionable thing is that

the rules and the laws are not followed.

Mr. Chairman, Sir, I would like to urge upon the hon. Minister through you whether he is capable of getting the rules which were framed in 1988 and which he is going to frame in 1994 implemented? Will these be implemented in toto?

Will the encroachment on the roads be removed? If you go to the Sadar Bazar in Delhi, you will find on both sides of the road nearly half of the road has been encroached. If these encroachments are removed, the accidents will be reduced. People park their vehicles on the road either the cars, trucks, cycles and motor cycles are parked on the people have extended their shops on both the sides of the road. Get these encroachments removed at the earliest. Same is the situation on the bye-passes constructed by the Government. People have started encroachment there on the road and near the road and a day will come when there will be no use of constructing the bye-pass there. Such type of things are taking place at various places and on which the hon. Minister should pay proper attention as the bye-passes have been sanctioned for Hapur and Moradabad.

I would like to draw the attention of the hon. Minister Shri Jagdish Tytler ji towards an important issue I would like to bring it to your notice you have accorded approval to both the proposals of constructing by-pass at Hapur and Moradabad. We request you release the funds to construct the by-pass at Moradabad and Hapur to make these places as accident free zones. The people of both the cities will be grateful to you for that and it would be a good step.

My second suggestion relates to pro-

[Sh. S.P. Yadav]

viding fly-over facilities in high-traffic areas to facilitate the local public. Besides, the traffic-signals also need to be improved upon. Sometimes it so happens at some places that only after crossing the traffic signal one realises that he was not supposed to cross it. These things happen sometimes.

I will not take much time. The Hon. Chairman has signalled to me to conclude. I would like to conclude by saying that people of Delhi should be provided some relief from the high-handedness and rash driving of the red-line buses as their killing spree continues unabated. We are pained to read in news-papers that innocent children are also becoming victims of the havoc created by the red-line buses. That is why, the hon. Ministers is requested to keep a check of these buses. The bus which get a permit is leased out. The contractors be a driver or a conductor—drive these buses irrationally to earn high-profit.

With these words, I conclude and support this Bill.

[*English*]

SHRI AMAL DATTA (Diamond Harbour): Sir, this amendment Bill is an omnibus amendment of a parent Act which is also an omnibus Act. This statute has many facets of road transport. In fact, it is the dovetail Act, a kingpin of the entire road transport system through which the Government tries to regulate and control the road transport. But the Act, unfortunately, has fallen long ago, more or less, into disuse because nobody actually obeys the Act. The Act is not enforced except on people, willy-

nilly, who are really law abiding and will not do anything outside the law. They are the people who are caught by this Act and others go scot-free.

Sir, this Act is supposed to be an Act which lays down specifications of vehicles, the maintenance and safety standards of vehicles; the licensing requirements of drivers, the crew, the motor vehicle itself and so on. This is an Act which goes into the details. It is not an Act which is very suitable and even the amendment is not very suitable for discussion on the floor of the House. Earlier we do not have any alternative to discussion except on the floor of the House unless a Committee was constituted for the specific purpose of going into such an Act.

But now the Committees are there. The Standing Committee is there. The Act should have been considered by them and they should have reported to the Parliament having gone into the details of the amendments, their necessity and their adequacy. But that has not been done. I do not know why it has not been done since the Standing Committees have come into effect more than one year ago. This is a fitting case which should have been reported to the House by a Standing Committee. But, anyway, since we are discussing it, I will go into some of the aspects, mostly the policy aspects which appear not to have been dealt with by those who have been the authors of this Act.

Sir, there should be coordination between the Ministry dealing with the subject and the other Ministries from whom they may get inputs, support and otherwise advice and guidance. I do not know what guidance the Ministry has received. But it does not seem that it is alive to the fact that the basic object of any transport policy in a

country like India should be to reduce the amount of freight which is carried by road transport particularly on long-distance transport. This has been one of the recommendations of a Committee called the Transport Policy Committee. I think it is the B.D. Pandey Committee which gave its report in 1982. I am afraid that the main recommendations of this Committee have not been either adopted or accepted by the Government - at least if not implemented. One of the main recommendations - which I think was a very very sensible one in the context of a country like India where our petroleum resources are so much limited - is that most, if not all, of the goods carried for a long-distance, which is a distance of over 300 kms. should be by rail. It is only in the case of distances shorter than 300 kms. that the road transport should be used. The reason is that the trucks today are consuming half the petroleum which is imported into this country. They said that this should be done as far as possible by rail. They have given comparative charts to prove what is the energy efficiency of carrying goods by rail as opposed to the energy inefficiency of carriage of goods by road. They have given very clear charts. I am sure, today with the electrification of a large part of the railway lines, it has become much more efficient than before to carry these goods by rail than by road. But this has been totally lost sight of in an Act, the Motor Vehicles Act - whether the parent Act of 1988 or in an amendment and there is nothing which tries to ensure that more of such goods will be carried over a long-distance by railways and not by road transport. It would have meant coordination between the Surface Transport Ministry and the Railway Ministry to have interchanges so that goods may come and be loaded on to the trucks with the least cost, with the least harassment, least trouble and least

delay. That is the type of a thing which we expected to see in an amendment which is coming today. Today, when we have already gone through such a critical situation in the country's economic history so far as the foreign exchange deficiency is concerned, yet they do not seem to have woken up. I do not know whether they are ever awake. That is one aspect.

Secondly, the other aspect which I would think that this Ministry should have been concerned about is how to reduce the congestion of traffic within the cities.

How to reduce the level of pollution within the city and elsewhere also which is created mostly by the vehicular transport, the road transport. There is nothing to indicate that in this amendment, or that the present Act incorporates any such policy by which as is already happening in other countries, a lot of vehicular traffic has been expelled, has not been allowed to enter the city. The people have to use public transport like the buses, trains, whatever is available. More metros have been built. Even today, the London transport which was started in 1850 is putting another line. They have completed one line recently, one line in 70s, one line in 80s and another line in 90s. And in Calcutta, they have started building the first metro in 1972 or 1974 and they are still building it. In Delhi, they are only talking about it. I do not know how long they will talk about it. I am not putting the blame on the shoulders of the Ministry of Transport. But there is no coordination. Each Department of the Government is an empire or kingdom of its own. Other Departments have nothing to do with this. How long will it go on? Today we are told that Delhi has more vehicles than the cities of Bangalore, Bombay and Calcutta. All three together have less than



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twenty lakh vehicles and Delhi has more than 20 lakh vehicles. This is a terrible situation. What is happening?

Then there is this pollution created by the buses, autos and two-wheelers. And motor cars are exuding fuel gas which may not be visible. But it contains deadly lead. In other countries, I am told that lead has been eliminated from petrol which is used by motor cars. Why is it not done in this country? We are told that Rs. 3000 crore will be required for additional treatment in refineries to make the petrol lead free. Is Rs. 3000 crore such a great sum to prevent people from dying out of lead poison or at least children of tender years being stunted in their brain growth because of the lead deposition. That is the report of our own Central Pollution Control Board. What happens to children between the age of four and eight or something like that? They have studied that because the lead deposition is higher than the critical amount, the brain maturity stops. We are not going to spend Rs. 3000 crore for this. At least, the Motor Vehicles Act could have now said that within five years this has to be done; within five years no petrol driven vehicle can be driven unless the petrol is lead free. They could have forced on the Government. Of course if they had enough public support, if the matter could have gone to the Committee, the Committee could have explained, the Parliament support could have been there. I alone speaking and shouting will not help. But there is no will here to save the people's health from injury. Why does this happen that in India a new bus comes into the road and within one year it is emitting black fuels. A new truck comes to the road and within six months, it is emitting black fuel. I have asked the special-

ists in this regard. They say that so far as trucks are concerned, the fuel injection apparatus, the fuel injection pump is tampered with from the very beginning. Why is it tampered? It is tampered with because then it can carry over-load. A truck which is supposed to carry nine or ten tonnes would usually carry 15 to 16 tonnes.

Power in the engine can be built up only by tampering with the fuel injection pump. And it goes on. In the case of buses, it may not be necessary, but there is no maintenance. They do not maintain it because there is no penalty, there is no disincentive. It is the people's health which is at stake here. I think the Motor Vehicles Act should have made it clear that any bus emitting fumes like that should be immediately confiscated. I would like to see which owner will ply bus after that. Once ten buses are so confiscated, everybody will ensure that their buses do not emit this kind of black fumes, his truck does not emit this kind of black fumes.

The previous speaker Shri Mehta was talking about overloading of buses causing accident. One of the ways by which the buses get overloaded is by tempering with this machinery which, in turn, causes black fumes to be emitted. All this shows the distinct lack of will on the part of the Ministry or on the part of the Government as a whole to safeguard people's health, to ensure safety on the road and to ensure compliance of the laws which they have enacted. These laws are enacted one after another but not complied with. The law will not be given any importance at all and this is what has happened to the Motor Vehicles Act today...  
*(Interruptions)*

I am speaking on the policy issue. So far

as road safety is concerned, training and education have come up. But the question is not only that. I agree that drivers should be educated. Unless drivers are educated, they cannot see and understand the road signs. Of course, there are a very few road signs. There again, the blame has to be put at the door of the Transport Ministry because there are so few road signs. Road signs should be more in number, should be much bigger, should be much more legible and should be much more visible from a distance. Only than, the road signs are of any use. But, the driver also should be able to read, comprehend and apply his knowledge of the road signs in his driving. So, he requires a minimum education. I cannot say how much education - perhaps if a committee was there, that committee would have got the evidence of experts and would have been able to say whether it is Matric or Plus 2 or whatever it is. They would have been able to say that. But, I think education is required. Apart from all that, there is the matter of courtesy. There is not only lack of driving competence but there is no courtesy in this country so far as drivers are concerned towards the other people on the road, the other vehicles on the road or the pedestrians and other users of the road. This is the prime requirement. If nobody is going to do this - by convention it becomes a matter of courtesy - but they have to be made to do so by the law, which is deficient now.

Road service, road conditions have also come in for criticism and comments. I am sure the Minister knows this. I discovered long ago through an examination in the Committee that the road specifications are inherently sub-standard. It assumes the laden vehicle weight at a much lower level than what actually it is. Actually the weight of laden vehicle on the Indian trunk road is 20

tonne plus, assuming vehicle load of 12 or 13 tonne only. If there is no correspondence between the two, the assumed figures on which the specifications are built have to be the correct figures.

Either you say 'all right, we will allow you to take that weight and therefore we build the roads much stronger and specifications will be much higher' or you say 'this is the specification and you must adhere to that weight and nothing more. We will fine you and put you out of the road the fine being so high'. These are the reasons why the road deteriorates so much. There is no correspondence between the way the road is being used and the assumption on which a road has been built.

So far as buses are concerned, there is need for more buses to be on the road during the rush hour. Why? There are two reasons. Firstly, I want that more people should come by bus and less people should come by cars. You will have to make that arrangement, so that people cannot come by cars into the city beyond a certain circle. In Delhi take the inner circle of the Ring Road or the Outer Ring Road. If people have to come by cars, they will have to come by car only up to that point. Arrangements should be made for them to park their cars there and from there they will have to come by bus. So, in peak hours there should be more buses. It can be done easily. Secondly, in other countries in peak hours the fare is higher, so that more buses can ply and in non-peak hours the fare is lower. People who cannot pay higher fare will come in the non-peak hours. So, something can be done, so that the buses also are on the road and buses are there to carry the people who can otherwise come by cars, but they cannot come in their cars because the parking fee is so high that they

[Sh. Amal Datta]

cannot park their cars anywhere. Something like that will have to be done if a city like Delhi or any other metropolitan city has to be decongested of cars. Buses have to be looked at as well as cars have to be parked out.

About the highways people have talked about. I will take this opportunity to try to impress upon the hon. Minister that NH 6, the Bombay-Calcutta Highway, has no ending at the moment at the Calcutta end. I want the Minister to give it an ending. It should end at Diamond Harbour which is the logical end of the NH 6. After coming on the second Hooghly crossing which is called Vidyasagar Sethu, it just gets itself lost in approach roads. Actually it should go along one of the approach roads and turn into Diamond Harbour Road and end at the Diamond Harbour Road. That is the correct ending of the NH 6 in the Calcutta end.

I will mention here another road. I think you probably know about it. An Express Way called Durgapur Express Way is being built. Reports I have seen in the newspapers make it a very shabby project. We are told that the Express Way is so narrow that two buses will not be able to cross each other. That is the kind of Express Way being built. I do not know why. The specification will have to be looked into and more money will have to be made available for this.

[*Translation*]

SHRI BHERULAL MEENA (Salumbar):  
Mr. Chairman, Sir, I have risen to express my views on Motor Vehicles (amendment) Bill, I support this bill.

Several hon. members have put forth their views in the House before me. The work of construction of roads is under the Ministry of Surface Transport; Police is under the Ministry of Home Affairs and Transport is under your Ministry. I would like to ask you as to how will you maintain co-ordination all the three departments. A road accident takes place due to a bad condition of roads and the police has the police controlling power. Then how will it be coordinated? I agree with the views expressed by the Members in this regard.

It is correct that rules are not observed. An improper training leads to road mishaps. If a proper training had been given, the accidents would not have taken place. The traffic police personnel. The RTO department personnel are posted to check to vehicles but we all know how do they perform this duty. They stop vehicles in order to extract money from the people only. If they give a receipt, then they ask the vehicle-drivers to remove the fault if any, and warn them to avoid such activities otherwise, their vehicles would be impounded. Such a system must be made in the country to ensure that all the erring drivers would be punished. The drivers should be warned against being drunk while driving or driving without licence or being a rash driver, or carrying weight more than the prescribed limit etc. But the Traffic police themselves over-look such rules. The drivers give Rs. 10.00 as bribe and go on. Now-a-days they are met by the traffic police personnel at a distance of every 10-20 kms. and these days they are charging Rs. 100 leading to a discomfiture of the drivers who then resort to rash driving. The checking is done, first, by the RTA Department, then by the flying squad of police department. I have seen at several places that the role of the flying squad is to rush help

to an accident site. If a vehicle has met with an accident, the squad would immediately clear the road by removing the vehicle, otherwise, an accident blocks the road and eventually the traffic. But they do not properly do their work.

I mean to say that both the Departments—the RTA, and police and transport should be given a proper training as to how the rules are to be followed. In the absence of observance of these rules accidents take place. If the vehicles run as per rules the number of accidents comes down. The population of our country has increased and so has the number of vehicles on the road. All the vehicles are carrying passengers so there is scope for some drawbacks. I would particularly stress upon imparting proper training to all the departments—RTA, Police, Transport, to ensure a decline in the number of road-accidents.

Sir, on this occasion, I would like to submit that ordinary people having limited means go to cities at a distance of 20,30,40 Kms. to earn their livelihood. They travel by trucks for this purpose. I would urge upon you to start buses on such small routes for these people. Sometimes, truckers drive continuously for 24 hours. An Hon. Member just said that they should not be allowed to drive for more than 300 kms. at a stretch. The distance between Udaipur to Bombay is 750 kms. A bus or a truck starts from here at four in the evening and reaches Bombay at six in the morning the very next day. If the whole distance is covered in the night then he must be going at a very high speed and it has head or collision with video coaches travelling at night, in which several people die. There are several such accidents but there is no rule for the RTA and the police. Everybody knows that big hoardings are set

up on the roads that this particular vehicle will be travelling from this place to that. Such boards have been set up the world over and the time is also written thereon. The Police, the RTA and all departments as well as the government are also aware that the drivers have been allowed to drive at a high speed. Announcements are made that if a passenger is dropped at his destination in a particular period then the drivers will be rewarded. He drives the vehicle so speedily to win his incentive and it leads to accidents. Neither drivers nor owners of the vehicles care for accidents and the number of casualties because vehicles are insured. They pay Rs. 25 or 50 thousand to the bereaved family as compensation but the life lost cannot be compensated. Thus we deliberately violate the rules. Therefore I wish that rules should be followed strictly so that accidents may not occur.

Besides these suggestions I would like to mention some problems of my constituency. Udaipur is a big city for which a bypass has been sanctioned and fund has been released. While by-passes in all the other big cities have already constructed, the construction work of bypass in Udaipur is yet to be started. At present people have started unauthorised construction on the proposed land where road is to be constructed and a number of houses are being built therein. As a result thereof when the time of construction, of bypass would come those, people, who have constructed unauthorised houses, will demand compensation and the amount of allocated fund will be spent on the payment of compensation and construction of bypass will remain pending. There may be the same position in other cities of the country. Therefore I request you to start the construction work of sanctioned by-passes at once to avoid such problems and the

[Sh. Bheru Lal Meena]

public may get the benefit of such facility.

I would also like to mention about illegal occupation where the tribals live in my constituency. 200 feet long strip was acquired in the vicinity of National Highway and tribals were asked to take compensation or go to Delhi and there was no other alternative for them. Thus the houses of tribals, were demolished and bull-dozered and their land was acquired but the houses of upper caste people were not demolished. I, requested those upper caste people to allow the demolition of their house so that the road may be widened, people may be facilitated and accidents may be avoided. It's result was that the officials of the said department told those of upper caste people that their representative had stressed on the removal of their illegal occupation. And thus those people started questioning me that not the department but I had asked for the removal of their illegal occupation. Now every day a vehicle collides with a hour and accidents occur. I request to improve the situation.

In the same way I request to make sufficient arrangements for buses in those places where people travel in trucks, so that accidents may be avoided and loss of property and life may be saved.

I would also like to draw the attention of the House towards one more point as I have travelled by road many times from Udaipur to Delhi, and have seen that speed breakers are provided in those areas where upper caste people live no barrier is provided in tribal areas. The drivers do not care a bit and the vehicles running in very high speed can itself cause accidents. When attention of the officials is invited in this respect, it is stated

barriers cannot be provided on national highways according to rules, whereas barriers have been put up in areas where upper caste people live. I request the hon. Minister to make arrangements for providing barriers in tribal areas also because rules must be the same or everyone and every place. If the Government is unable to make suitable arrangements the tribals will come out with their traditional arms and there after barriers will be provided automatically.

In the end I would like to say that drivers, who travel 700 kms. in 24 hours, they get tired and feel sleepy. Some of them drive in drunken state which lead to accidents, such conditions should also be checked.

I hope that hon. Minister will seriously consider my suggestions. With these words I thank you for providing me time to speak.

17.00 hrs.

SHRI CHANDRESH PATEL  
(Jamnagar): Mr. Chairman, Sir, a lot has been spoken on this subject but first of all, I would like to take up the issue of vehicle licence. It is not as much difficult to learn driving as to get a driving licence. After passing the test, licence should be issued immediately. It does not mean that whosoever comes, should be issued licence. It may lead to increase in accidents. It has been heard that the Government proposes to give more representation to women. They want to reserve 30 to 33 per cent seats for women to contest in the elections. But here women do not get driving licence. Whereas in foreign countries women drive trucks and buses. In India, one cannot get a driving licence even after five years of training. In my opinion, it is an injustice to women. On highways, speed breakers are not construct-

ed as per SOR. As a result thereof, vehicles are damaged and the rate of accidents also increase. In these accidents many lives are lost. I have seen many two-wheeler riders dying. The specification should be as per S.O.R. Every State has its own Motor Vehicle Act. In Gujarat, Rs. 5000.00 is charged as road tax, whereas it is Rs. 4000.00 in Rajasthan and Rs. 3000.00 in Maharashtra. Similarly, the charges vary in each Union Territory. Instead of such a system, there should be a uniform Motor Vehicle Act. Now-a-days, we find adulterated petrol which increases pollution. The law enforcing agency takes action against the guilty but they are let off by charging Rs. 25 or Rs. 50 as fine. There should be a Pollution Control Act but we do not have such a system. Earlier there used to be 31 accidents per thousand vehicle but now it has reduced to 14 per thousand vehicles. Though the number of accidents has come down yet the number of people dying in these accidents have increased. This ratio varies from one country to another. It is 14 per thousand in Japan, 18 per thousand in France, 21 per thousand in Germany, 23 per thousand in Britain and 22 per thousand in USA. However, it has been heard that in India this ratio is 27 per thousand. Who says that we are backward? But in this field, we have progressed far ahead of others. According to official data, 2.5 per cent accident have increased. There are about one crore seventy five lakh vehicles in our country. The two wheelers constitute about 33.6 per cent of the total vehicles. In big cities, they are 31 per cent. In Delhi, Bombay and Calcutta, 30 per cent victims of the accidents are such vehicles and their riders. The Government has not been able to take any effective step to check such accidents. A mere negligence may cause accident. For example, when a vehicle plies on the road, its headlight falls on the eyes of

the person coming from opposite side and one cannot see other vehicles standing on either side. As a result the vehicle collides with the other vehicles. The Government should also evolve a rule to this effect that the headlight of a vehicle should not fall above the road but at least upto a distance of one hundred feet on the road. I am a driving licence holder for the last 21 years. I have driven all types of vehicles. I know that most of the accidents occur due to defective headlights. It is generally found that the vehicles parked on the sides of the road do not have tail-lights. When one goes to R.T.O. for obtaining driving licence, one has to go through several stages of tests. If I am asked about the rules at the moment, I must admit I do not remember many of them. Therefore, I would suggest that it should be made compulsory for every driver to face the tests once in every five years. Many drivers drive vehicles under the spell of liquor. Today, it has become a sort of tendency among the drivers to show their professional cohorts that they can drive safely even when drunk. Consequently, their drinking capacity increases and it results in accidents. There should also be a provision of side glasses on the vehicles. Though these are small things, yet they have their importance. Similarly, excessive load and overloading becomes the cause of accidents. Just now one of my friends was telling that there is no coordination among various concerned departments. For example, roads come under P.W.D., police under the Ministry of Home Affairs and R.T.O. under the Ministry of Surface Transport. There is a need for proper coordination among these departments.

So far as accident claims are concerned, the old system is still in vogue. It has mostly been found that when an accident occurs,



[Sh. Chandresh Patel]

the officials of General Insurance Corporation of India do not reach the site of accident before two to three days and the vehicles remain there on the road. I have seen many such cases in Gujarat. It has mostly been observed on Jamnagar-Ahmedabad road that whenever an accident occur there, the insurance officials reach the site very late and by that time more vehicles get involved in the same accident as they collide with those which have already collided with each other.

I mentioned about pollution in my speech earlier. The owners of Petrol Pump adulterate petrol and diesel. In western countries, the life of vehicles is fixed and after their life lapses they are treated as scrapes. But, ours is a poor country and that is why even outdated vehicles continue plying on the road. When the drivers indulge in a race, a lot of pollution is caused and it also results in accidents. The licences of such vehicles should be cancelled. A major portion of our foreign exchange is spent on the import of petrol. Mr. Mc. Donald of Australia has suggested use of such a device which can help in curbing pollution level and saving of petrol and diesel. We should also think about developing such a device. I would like to suggest to the hon. Minister that school going children should be made aware of the traffic problem. Further, it should also be included in the school curriculum. The traffic rules can not be enforced effectively merely by making the people aware of them, but it would require stringent action. There is a need to amend the Old Motor Vehicle Act. In Gujarat, Motor Vehicle Act, 1982 of Bombay was applicable which was amended in 1988. The same system should be adopted here. The traffic police should be trained to bring

some improvements in their dealing. It would also help in rooting out corruption. The fly-overs should be constructed, wherever required. The parking facilities should be augmented. Mr. Chairman, Sir, in this connection, I would like to quote an incident. Three people were riding on a scooter. When the traffic police blew the whistle, they stopped. They were told to show the licence. They replied that they did not take the licence in their pockets and that was lying at home. When they were asked their names, they told that they were Ram, Laxman and Bharat. The traffic police retorted that then the name of the fourth should be Shatrughan. They asked surprisingly as to how he knew that? The policeman replied that his name was Ravana and asked them to follow him to the police station. They said that Ravana had ten heads. The policeman replied that they would see that at the police station. This shows the way police harasses people now-a-days.

Mr. Chairman, Sir, in Gujarat, about 5600 bus operators are on strike. This has left all the drivers and the cleaners idle? Don't they pay the tax? Do they drive rash? If so, they should be sued. However, the problem is that R.T.O. and other employees of the department indulge in corruption. That is why, these buses are parked idle. Whether it is the Transport Minister or the Chief Minister, nobody listens them. I mean to say that there should be a uniform law.

Mr. Chairman, Sir, we talk of marching towards 21st century and in this quest, we have even embarked on satellite technology. In the past the farmer used to go to his fields on bullock-cart but now-a-days he goes on a tractor. He picks up his labourers from their houses and again drops them to their houses by tractor. He also uses the

tractor to go from one village to another. But, there is no such provision in the Motor Vehicles Act that the labourers should be allowed to sit on the tractor trolley. Tractor driving is very simple. I would suggest that a study should be made in this regard and 15 to 20 persons may be allowed to sit on the tractor trolley.

Mr. Chairman, Sir, I would have liked to speak on other points as well but as you have rung the bell several times, I would conclude and thank you for giving me an opportunity to speak.

[English]

SHRI YAIMA SINGH YUMNAM (Inner Manipur): Mr. Chairman, Sir, I rise to support the Motor Vehicles (Amendment) Bill, 1994. The Bill proposes for the regulation of the road transport in the country. So, it is a very important Bill because it will provide us all the facilities, road safety and so on. So, under the law, the Government has also to provide comfort for the passengers.

The provisions that are incorporated in the Bill regarding the grant of driving licences, authorisation to the States to appoint State Transport Appellate Tribunals, increase in the amount of compensation and removal of time limit for filling application by the victims of the road accidents for compensation are very important.

17.17 hrs.

SHRIMATI MALINI BHATTACHARYA *in the Chair*

As regards the procedure for granting licences to the drivers, I would like to place before the House certain important points.

The drivers must be made dependable very much on their own ability, their own skillfulness and also their own effectiveness, if at all they want to get licences. Here, the question of life and death of the passengers comes. Before issuing licences to the drivers, the Government should formulate strict rules. They should make investigations properly as regards the antecedents of the drivers. Otherwise, if a criminal is given a licence to drive, then the consequences will be very displeasing. It will create problems.

So, before issuing licences to the drivers, the necessity of possessing the medical certificates must be made compulsory. But, here it is mentioned and I quote:

"Provided that no such medical certificate is required for a licence to drive a vehicle other than a transport vehicle.."

So this proviso must not be there. Why is it necessary? I would say that not only for transport vehicles but for other vehicles also the driver must be physically and mentally fit. Otherwise how can the licence be issued to a sickman although he is driving a vehicle other than the transport vehicle? I am enquiring from the hon. Minister what is the necessity of having this proviso to add it again:

"Provided that no such medical certificate is required for a licence to drive a vehicle other than a transport vehicle"

I consider that this proviso must not be there in the Bill. A driver must be physically and mentally fit. His morale must be good and his behaviour must be tested.

Madam, we receive so many complaints of misbehaviour committed by these drivers

[Sh. Yaima Singh Yumnam]

and conductors, creating problems for the passengers. The conductors must also behave nicely with the passengers. These are the important matters which are to be looked into before issuing licences to the drivers.

I would like to add that the licence issuing authority must be made responsible if any driver commits a crime, say misbehaving with the passengers or doing other unwanted things, while driving the vehicle at his disposal. I want the government to frame rules and make laws strictly to fix the responsibility and to make the issuing authority responsible for the drivers' behaviour also.

Secondly, I would like to mention that authorising the State Governments to appoint State Transport Appellate Tribunal is a very good idea. I would like to appreciate this because if this authority is given to the State Governments many of the people's grievances would be redressed. However, there are small States where such appellate authority does not take up the cases very speedily and so many cases are kept pending and at the same time these tribunals take time more than necessary and the affected people suffer because of this. So I appeal to the hon. Minister to look into it so that the cases can be disposed of by these tribunals within a reasonable time.

As regards the point to increase the amount of compensation, it is highly appreciated because now-a-days in the context of rise in prices of all commodities and also rise in cost of living, this increment will give much relief to the victims.

As regards removal of time limit for

filling the applications for compensation by the road accident victims, it is also appreciated very much.

Earlier it was very difficult for a victim to file applications or claims within a limited time. It takes time. If that restriction is removed, it will help the poor victims greatly.

Madam, my State, Manipur, is under the President's Rule. I would like to mention that we have to travel a long distance from Imphal to Guwahati and to reach the capital, Delhi, by bus. There is also a difficulty in transportation of goods. Our difficulty is that because of law and order situation, the owners of the vehicles have to pay 'other taxes'. The NSCN collect taxes from the owners of the vehicles and the drivers have to pay them. Otherwise, they cannot ply their vehicles.

These are the matters, which relate to law and order. I simply wish to bring these things to the notice of the hon. Minister. I would like the Minister to look into the safety of the passengers from the point of view of long-distance travelling passengers.

Lastly, when we learn from the reports through the Press that many vehicles have fallen in the rivers and in the canals killing many passengers, we feel sorry about it.

The Government should look into all these problems and try to redress their grievances.

With these words, I support this Bill.

SHRI M. KRISHNASWAMY (Vandavasi): Madam Chairperson, I rise to support the Motor Vehicles (Amendment) Bill, as passed by Rajya Sabha.

Communication is a very important infrastructure and road is the only communication, which links the remote villages and the towns. Whenever State permits are issued by the Government - there are a lot of demands for busy routes - some people hesitate to ply in the interior and remote areas of the villages. It should be made compulsory that the transporter or the fleet operator should operate at least one route connecting the remote villages. This social obligation should be met by them and this can be enforced by framing the rules accordingly.

It is just like a system - this system is there in Tamil Nadu - that a Government doctor should serve in a primary health centre for three years. Like that, the operators, who own three to four buses, must operate at least one bus to link the villages. I have noticed that, in certain cases, permits for most of the routes were issued for one particular operator. With the result, he enjoys monopoly over those routes, he does not bother to ply in the route connecting the interior villages and he does not bother to improve the services also.

To introduce an element of competition among the various transporters, an individual transporter should not be given permits for more than three routes. A maximum limit should be prescribed.

Also, old vehicles should be banned or should not be allowed to be operated after a certain time. If a vehicle is a 1950 model or 1952 model, after a certain period, it should be banned from being operated or should be dismantled because the old vehicles cause pollution. When such an old vehicle goes in front of us we are not able to see clearly and drive because it emits lot of smoke. That is

the situation. So, old buses and trucks should be allowed to be used only for a certain period and thereafter they should be dismantled.

There should also be no monopoly in the matter of issuing permits. They should be given to many people. There are agricultural workers and others who are engaged in other avocations for generations together and they are not gainfully employed throughout the year. Therefore, the Government should encourage them and give route permits to those people who are living in remote villages. Such agricultural workers can be organised to form transport cooperative societies and the permit may be issued to such cooperative societies just as ex-servicemen are issued. Unemployed youth also can thus be helped to earn some living by running such a transport service. I think such a scheme should be devised so that self-employment among the youth is also generated.

About driving licences, many speakers have mentioned. There are lot of malpractices in the issuing of driving licences. People just join some driving schools and after some time by paying some money they get a driving licence. In this way a person who does not know how to hold the steering wheel gets a licence. If such people go on the road we can very well imagine the havoc that would be caused by them. The licensing authority should be asked to conduct driving tests before issuing a licence. This should be scrupulously enforced with suitable checks and counter checks.

As we all know, there are Motor Accident Tribunals in all the States. But the procedure of deciding the cases is cumbersome because the tribunals have to decide

[Sh. M. Krishnaswamy]

a lot of legal questions on facts. The Government should provide for the payment of some minimum amount of compensation to the victims immediately after an accident which will be of some help in time of their need. Otherwise the situation is being exploited by the middlemen and some brokers.

At present there is a time limit of six months for filing the claims before the tribunals. If a person is insured and is in the hospital for treatment for more than six months' time, the time limit to file the claim before the Motor Accident Tribunal expires and he cannot file a claim. In such cases there should be some exemption. There should not be any time limit to file a petition. Either at least one year's time should be there or the six months' time limit may be removed. At least, the time to file should be extended.

Unless the victims are given some compensation immediately, some other people go to the houses of the victims and by paying some money for the cremation they get blank papers signed by them. They then take them to some lawyers to file a petition on their behalf.

Then, whatever the compensation is awarded, three-fourth of the amount is taken away by the middleman and the dependents of the victim get only one-third of the amount. So, that should be considered.

I would urge upon the hon. Minister to create a corpus fund for the purpose of making payment as token compensation immediately after the mishap has occurred since the law takes its own course. The

insurance companies should also be instructed to expedite the cases of payment of compensation, insurance money to be paid to the claimants. In the speed-age, hit and run cases are going on. Therefore, those victims are also to be taken care of. In the hit and run cases, some people are not able to identify the car number of the vehicle. So, they are not able to file a petition in the Tribunal. In such cases, the Government should immediately come for their rescue and give compensation to the victims and their families.

While issuing commercial driving licence for heavy vehicles, care should be meticulously taken to test the driving skill of the candidate, his psychology should be tested and he should be given some orientation training since in his hands the fate of the busload of people remains. In view of the growing accidents involving transport buses, trucks, lorries and tourist buses, speed governor for speed limit should be fixed in every public transport vehicle and the violator should be punished adequately and the punishment should be so deterrent that he would be tempted to commit it again knowingly or unknowingly.

With these few words, I thank you, Madam for giving me an opportunity to speak and I support the Bill.

SHRI SYED SHAHABUDDIN (Kishanganj): Madam, Chairman, I rise to support the Bill which is before us with comprehensive amendments to a very comprehensive Bill. But I take this opportunity to make a few suggestions and observations for consideration by the hon. Minister.

All of us are conscious of the poor state of maintenance of the National Highways

and the fact that the National Highways Authority is yet to be created. I take this opportunity not only to plead for allocation of more funds for the maintenance and construction of National Highways but more than that for the immediate establishment of a National Highways Authority which shall bring the responsibility for the maintenance and care of the National Highways directly under the Central Government. I also plead for the constitution of a Highway Patrol without which, I think, it is impossible to control this epidemic of accidents on the National Highways.

Secondly, I have a problem which I want to point out. As we advance towards the 21st Century, I suppose, we shall have to grapple with the problem of reserving roads including the National Highways for motorised transport. I think, that problem has to be tackled by legal provision and I do not think that the Bill makes any provision for that. Connected with that is the question of optimum utilisation of the roads in the inner core of the cities in the congested areas.

I recall that in Singapore one has to pay a fine if the car is not fully occupied on the periphery and when it is about to enter the core of the city. I think for a petroleum deficient country like that of ours that would be very very useful to have a rule like that, that a car must be fully occupied, namely, to its capacity of four or five persons. There must be four or five passengers in it, otherwise, the car shall not be allowed to enter or pay a fine. That is just one of the ideas. But there are many other ways of combating this question of traffic congestion in the heart of the cities. For example, there are cities which are now experimenting with motorised pavements or what you call horizontal escalators. I do not know whether any such

experiment has been done here in our country.

I would imagine that even Chandni Chowk would be an excellent site for experimenting with the horizontal escalator so that the people can move on a escalator and the road is completely kept free... (*Interruptions*). Well, the street vendors have to be removed.

The question of coordination between various authorities involved has been mentioned here by a number of colleagues and I shall not dilate on it. But there is one problem that bothers me as a lawyer. We have the question of compensation for which the Bill now proposes tribunals, appellate authorities and everything and I am happy with those provisions. But sometimes the crime that has been committed, or the criminal aspect, is lost sight of. Surely, there are two aspects to an accident - the criminal liability of the person who is responsible, if it was not a case of mechanical failure, and the compensation to be paid to the victims of the crime. Now, the compensation part is taken care of but I would want some sort of a coordination machinery to be there, in order to have a proper coordination between the judicial authorities which are dealing with the criminal part and with these tribunals.

Coming to the question of pollution, I find a very agreeable provision here. But I would like to know from the hon. Minister: Does a private citizen have the right to lodge a complaint about a vehicle which is emitting black soot? Will the authorities take cognisance of that? We know that the police can be bought. We know that even if there was traffic police, perhaps they would also be bribed because every inspection merely



[Sh. Syed Shahabuddin]

opens another door for corruption. But I would suggest that every citizen should have the right immediately to note down the number of a vehicle and then to file some sort of an F.I.R. with a transport authority or with a traffic authority so that particular vehicle can then be subjected to an inspection and then if it has exceeded the pollution limit, it can be subjected to the usual penalties. I would not go as far as Mr. Amal Datta has gone, to suggest that the vehicle be immediately confiscated. But certainly on the recurrence of such complaints against a particular vehicle, even confiscation can be considered.

I would like to point out to you, Madam Chairperson, that in our own daily experience we find that every State Transport Authority is a cesspool of corruption. But I really cannot suggest any way of controlling that corruption. Whether it is a question of grant of driving licence or whether it is a question of grant of any permit or whether it is a question of any inspection, I am sure that we feel absolutely helpless. I really do not know whether the Minister has any suggestions to place before the Parliament for controlling this rampant corruption.

As far as the driving licence is concerned, apart from the fact that the drivers must have a minimum educational qualification, as has been pleaded by a number of colleagues, I have a feeling sometimes, travelling in hired vehicles, that some drivers have a psychopathic personality. In fact, sometimes I find that they suddenly rush on the road, suddenly escalate the vehicle, if they find that there is something in front of them, not necessarily a human being but may be a goat or may be a hen. That shows

to me the mind of the driver. The driver has no sense of compassion for life and such a psychopathic person can be much more psychologically prone to commit accidents than otherwise. I would, therefore, suggest that the medical test that has been envisaged here, must include an element of psychological testing also.

I really wonder why the Minister should keep the DTU under him. I imagine he would be handling the Ministry much more efficiently without it and I suggest that he gets rid of it as soon as possible and hands it over to Mr. Khurana who is, of course, not here any more. Let him deal with these Red Lines and Green Lines and Blue Lines. At least the Minister should have more time for dealing with the overall planning of national transport. He could do it so that he would have more time and energy left for dealing with the enormous transport problems of our enormous country.

I do know one thing. I always feel that sometimes the Ministers and Departments tend to keep on to their empire and they do not voluntarily preside over the dissolution of their empire or decentralisation of their charge. But I would really plead with the hon. Minister that he should think seriously in terms of handing over the Delhi Transport to the Delhi State.

If I may take half-a-minute more, I will make one last point. I represent Kishanganj which is on National Highway 31. Apart from the sad state of maintenance for the last 15 years, we have been crying for a railway overbridge on National Highway 31 at the entry to the town of Kishanganj. That creates mile-long bottlenecks at times because our railway traffic towards the North East is increasing and this is the only Highway. We

need a railway overbridge there. I believe that the hon. Minister has been kind enough to initiate negotiations with both the State Government and the Department of Railways; but for some reason or the other no progress has been made and the matter stands where it was.

THE MINISTER OF STATE OF THE MINISTRY OF SURFACE TRANSPORT (SHRI JAGDISH TYTLER): The proposal has not come.

SHRI SYED SHAHABUDDIN: I plead with the hon. Minister to really bring together all the authorities concerned and to begin construction of this overbridge at Khagra in Kishanganj on National Highway 31.

With these words, I support this Bill which is before us.

[*Translation*]

SHRI RAMASHRAY PRASAD SINGH (Jahanabad): Mr. Chairman, Sir, I support this Bill.

This Bill has some good aspects on which I would like to say something. It provides for compensation which is commendable. Secondly, it confers absolute powers on the State Governments to constitute tribunals which will ultimately benefit the people substantially. Thirdly, increasing the limit is a welcome measure. This will allay the peoples' difficulties and give relief to people bound by the time factor. This Bill has all the good provisions.

We should examine a driving licence seeker and make verifications to ascertain whether he is a good driver, whether he has a criminal record, whether he is educated,

mentally sound, before a licence is issued to him because by issuing licence we are entrusting a great responsibility on a person.

The road accidents are on increase in India today. The graph of vehicular accidents is highest in India whereas the number of vehicles here is less as compared to other countries. There have been such tragic accidents here which have devoured the whole family together. High pace of vehicles beyond speed limits is another reason of accidents. I belong to a rural area. The vehicles running from villages to cities cause more accidents because the roads are in a dilapidated condition. Construction of roads is a State subject, yet I would like to give certain suggestions to the Hon. Minister in this regard.

Untrafficable roads should be inspected. There are many such roads here. The roads generally have some life but these roads live beyond life which is generally of 2-3 years only. The State Governments have their own laws and regulations but in view of the situation there, the Central Government should also look to it.

I would also like to say that fitness certificates are given to vehicles which are not worth running. The concerned officials issue the certificate in lieu of huge amounts. Such vehicles should not be allowed to run on roads as they cause accidents. You may formulate many laws in public interest but the virus of corruption renders all laws redundant. This Parliament makes laws and passes them but corruption is rampant among the implementing officials. You will have to eradicate corruptions if you want to save human life.

[Sh. Ramashray Prasad Singh]

Sir, I would also like to touch upon the national highways. Sufficient money is not spent on their maintenance. I suggest you to constitute an organisation under the Central Government that can best maintain these highways because these highways link States with one another. So, special consideration should be given to these roads.

With these words, I would like to add that the present rate of accidents should be lowered and laws relating to this be reviewed. The vehicles not in a running condition should not be allowed to run on roads as they cause accidents and take toll of human life. It seems that human life has no value. I urge the hon. Minister to pay more attention to this aspect.

SHRI KRISHAN DUTT SULTANPURI (Shimla): Mr. Chairman, Sir, I rise to support this Bill.

After having been passed by Rajya Sabha, this Bill has come before this House. The hon. Minister deserves congratulation for having included the suggested amendments in this Bill. There are other facilities in it besides compensation. Many hon. Members have expressed their concern over the selection procedure of illiterate people for driving vehicles which cause accidents. Many accidents are caused under the spell of liquor. Therefore, a person should be a matriculate at least to be eligible to secure the driving licence. There are many graduate or M.A. pass drivers. Facilities should be provided to a poor person aspiring to drive a vehicle. The people at the selection panel should be aware of the period of experience of the drivers. Even people who are hard of hearing are passed for issuing licences and

they drive the vehicles. Such deaf drivers do not allow an accident to take place at any point of time. You can find such people in Delhi and in many States. But, there are drivers who are educated and cause more accidents. They should be scrutinised first.

I would also like to add that the hon. Minister has done a commendable job by introducing pension scheme for transport employees. The credit of reliving them from the great injustice being afflicted to them goes to him. All our national highways traversing through the hilly states like Garhwal, Himachal Pradesh, Nagaland etc. have been closed today due to heavy rainfall. You allocate funds to the State Governments. Please allocate more money so that all the closed highways are opened. I thank you for granting funds for the construction of a bridge at Kullu. Similarly, a provision of funds was made for constructing a tunnel in Rohtang pass which was not constructed. In our area, roads leading to Kinnore, Lahoulspeeti are closed due to landsliding. I can not ask the State Governments as to what amount of money was spend on it. In our area, poor people can not take their produce to the bigmarkets. There is no train service. The hon. Railway Minister neither listens to us nor grants funds for extension of Railways. Kindly make proper arrangements for transportation.

Madam, our national highway may be extended from Paunta Saheb to Rohadu and from Pinjour to Swargatt. Our people were benefited when the buses and trucks diverted their route through this highway when there was turmoil in Punjab. Something was said about roads. People have unauthorisedly occupied land alongside roads in Calcutta, Bombay, Delhi or any other State. The roads can not be widened

as per the norms because of encroachment by the people. Therefore, Government should take action in this regard through the concerned department or through subordinate departments in case the former do not come under the jurisdiction of the Government because in case of an accident no Transport Minister is held responsible and no other Minister owns the responsibility for that. There should be no dearth of finances so that work can be implemented as per the scheme. The construction of a road can not be completed unless money is spent on it in a planned manner. If money is granted, as per the scheme and work started on 10 roads but there are no funds for one road then how can all the roads be constructed. Therefore, the hon. Finance Minister should be asked to grant funds. If there are no funds with him, the road construction work should be assigned to the outsiders so that they invest the money and give facilities to the people. *(Interruptions)*

MR. CHAIRMAN: How much time will you take more?

SHRI KRISHAN DUTT SULTANPURI: I am about to conclude.

**18.00 hrs.**

Just now, an hon. Member was saying that accidents take a toll of 60000 human lives per year. In this connection, I would say, that we should pay attention to the vehicle technology. The companies should be directed to use quality machinery in trucks so as to avoid accidents due to technical reasons. Today, many people buy trucks by taking loans and the trucks stop functioning within a year, as is the case with Fard trucks and the operations just reel under the burden of loans. Such type of

complaints are received by all hon. Members. Therefore, I urge upon the Hon. Minister to direct companies to use good technology... *(Interruptions)*

Special attention should be paid to environmental aspect. It is seen that a number of permits are issued on a particular route causing heavy traffic and consequently environmental pollution. The truck unions also take Rs. 100 and give travel chit. The hon. Minister should pay attention to it also.

An hon. Member has rightly pointed out the fact of awarding cash rewards. A cash reward of Rs. 200 is given to a truck that reaches first to Azadpur Mandi from Simla and the drivers get coveted so much so that they neither care for their own lives nor for anybody else's thus causing accidents. This practice should also be checked because when an accident takes place, the Congress Party, its Ministers and Members are held responsible whereas the fault lies in somebody else. Therefore, there is need to pay attention to all these aspects.

This Bill has many good provisions like compensation etc. There may be some lacuna also and suggestions can be given to remove them but the opposition is in a habit of opposing every policy of Congress. There is a practice of fixing the responsibility of everything on Congress. One of our friends was saying that all powers be vested in Shri Khurana. If this is done, we will have a situation like Himachal Pradesh here. He could not even fulfil his assurances regarding slums as yet. In all BJP ruled States like Madhya Pradesh, Himachal Pradesh, Rajasthan etc. all the bus permits were issued to the BJP workers. It is Congress alone that does not give permits to its workers along but treats everybody alike. I would

[Sh. Krishan Dutt Sultanpuri]

like to thank BJP for at least having removed the poverty of its workers no matter the common people were not benefited at all. It is seen that bus or truck permits are granted to selected people... (*Interruptions*) Himachal Pradesh earns huge profits from transport service and maximum accidents take place there due to rainfall or snowfall or due to landslides. We wish that the hon. Minister conduct inspection of roads and ask the hon. Finance Minister to make provision for more funds so as to improve the transport service and the roads. The condition of roads is worse in hilly areas and these roads were constructed during British era. Therefore, they need to be repaired. I would also like to say that a survey was also conducted for constructing a tunnel on the Kullu-Lahaulspiti national highway which covers Rohtang. This tunnel should be constructed forthwith because it is a strategic road from military point of view. So, more attention should be paid to this road. I may also, say that bus and truck permits should be given to the scheduled caste and scheduled tribe people because no attention is paid to them.

I mean to say that they should have a proper share in issuing permits.

18.08 ½ hrs.

#### BUSINESS ADVISORY COMMITTEE

#### Forty-fifth Report

[*English*]

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF YOUTH AFFAIRS AND SPORTS) AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI MUKUL WASNIK): I beg to present the Forty-fifth Report of the Business Advisory Committee

MR. CHAIRMAN: The House stands adjourned to meet at 11 a.m. tomorrow, the 23rd August, 1994.

18.09 hrs.

*The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, August 23, 1994/Bhadra 1, 1916 (Saka)*